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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/731,615

12/07/2000

Freeman Leigh Rawson III

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11/03/2004

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EXAMINER

NGUYEN, THANH T

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 11/03/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,615

Applicant(s)

RAWSON, FREEMAN LEIGH

Examiner

Tammy T Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____



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Detailed Office Action

1. This action is in response to the application 09/731,615 filed. **December 7, 2000.**
2. Claims 1-30 have been examined.

Specification

3. Applicant is required to fill out the blank on page 1 of specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-3, 5, 7-13, 15, 17-23, 25, 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Greg Murphy. (USPN 6,564,380 – Date of Patent: May 13, 2003, herein referred to as “Murphy”).
6. As to claim 1, Murphy teaches the invention as claimed, including a method of partitioning system management information for a plurality of network devices, comprising: receiving system management information for the plurality of network devices (col.12, line 13 to col.14, lines 25, shows receiving system management information for plurality of devices); and partitioning the system management information based on at least one leasehold the plurality of network devices (col.14, lines 5-25, after receiving request from client the broadcast to servers).
7. As to claim 2, Murphy teaches the invention as claimed, further comprising: generating at least one document based on the partitioned system management information for each of the at least one leasehold (Abstract, generating video web page hosted on the master server); and transmitting the at least one document to a management system of the at least one leasehold (Abstract, linked to the client’s web sites).
8. As to claim 3, Murphy teaches the invention as claimed, wherein transmitting the at least one document includes converting the document format useable by the management system (col.10, lines 15-35).

9. As to claim 5, Murphy teaches the invention as claimed, wherein partitioning the system management information includes partitioning the system management information based on stored lease information (col.13, line 60 to col.14, line 5).
10. As to claim 7, Murphy teaches the invention as claimed, wherein transmitting the at least one document includes sending the at least one document to a management system adapter that converts the document to a format useable by the management system (col.10, lines 15-35).
11. As to claim 8, Murphy teaches the invention as claimed, wherein the system management information includes at least one of an identification of applications run under each of the at least one leasehold, a number of network devices on which the applications for each of the at least one leasehold were run, an amount of network bandwidth used by each the at least one leasehold, and a level of success of running the applications under each of the at least one leasehold (col.1, lines 50-65, network bandwidth).
12. As to claim 9, Murphy teaches the invention as claimed, wherein the plurality of network devices are a plurality of thin servers in a thin server farm (col.7, lines 29-40, The master Authorization server 100 and local PoP servers 110).
13. As to claim 10, Murphy teaches the invention as claimed, wherein the plurality of network devices are a plurality of thin servers and wherein the method is implemented in a metaserver of a thin server farm (Fig.5, meta server).
14. As to claim 11, Murphy teaches the invention as claimed, including a apparatus for partitioning system management information for a plurality of network devices, comprising: means for receiving system management information for the

plurality of network devices (col.12, line 13 to col.14, lines 25, shows receiving system management information for plurality of devices); and means for partitioning the system management information based on least one leasehold of the plurality of network devices (col.14, lines 5-25, after receiving request from client the broadcast to servers).

15. As to claim 12, Murphy teaches the invention as claimed, further comprising:
means for generating at least one document based on the partitioned system management information for each of the at least one leasehold (Abstract, generating video web page hosted on the master server); and means for transmitting the at least one document to a management system of the at least one leasehold (Abstract, linked to the client's web sites).
16. As to claim 13, Murphy teaches the invention as claimed, wherein the means for transmitting the at least one document includes means for converting the document to a format useable by the management system (col.10, lines 15-35).
17. As to claim 15, Murphy teaches the invention as claimed, wherein the means for partitioning the system management information includes means for partitioning the system management information based on stored lease information (col.13, line 60 to col.14, line 5).
18. As to claim 17, Murphy teaches the invention as claimed, wherein means for transmitting the at least one document includes means for sending the at least one document to a management system adapter that converts the document to a format useable by the management system (col.10, lines 15-35).

19. As to claim 18, Murphy teaches the invention as claimed, wherein the system management information includes at least one of an identification of applications run under each of the at least one leasehold, a number of network devices on which the applications for each of the at least one leasehold were run, an amount of network bandwidth used by each of the at least one leasehold, and a level of success of running the applications under each of the at least one leasehold (col.1, lines 50-65, network bandwidth).
20. As to claim 19, Murphy teaches the invention as claimed, wherein the plurality of network devices are a plurality of thin servers in a thin server farm (col.7, lines 29-40, the master authorization server 100, and local Pop servers 110).
21. As to claim 20, Murphy teaches the invention as claimed, wherein a plurality of network devices are a plurality of thin servers and wherein the apparatus is a metaserver (Fig.5, meta server).
22. As to claim 21, Murphy teaches the invention as claimed, including a computer program product computer readable medium for partitioning system management information for a plurality of network devices, comprising first instructions for receiving system management information for the plurality of network devices (col.12, line 13 to col.14, lines 25, shows receiving system management information for plurality of devices); and second instructions partitioning the system management information based on at least one leasehold of the plurality of network devices (col.14, lines 5-25, after receiving request from client the broadcast to servers).

23. As to claim 22, Murphy teaches the invention as claimed, further third instructions for generating at least one document based on the partitioned system management information for each of the at least one leasehold (Abstract, generating video web page hosted on the master server); and fourth instructions for transmitting the at least one document to a management system of the at least one leasehold (Abstract, linked to the client's web sites).
24. As to claim 23, Murphy teaches the invention as claimed, wherein the fourth instructions for transmitting the at least one document includes instructions for converting the document to a format useable by the management system (col.10, lines 15-35).
25. As to claim 25, Murphy teaches the invention as claimed, wherein the second instructions for partitioning the system management information includes instructions for partitioning the system management information based on stored lease information (col.13, line 60 to col.14, line 5).
26. As to claim 27, Murphy teaches the invention as claimed, wherein the fourth instructions for transmitting the at least one document includes instructions for sending the at least one document to a management system adapter that converts the document to a format useable by the management system (col.10, lines 15-35).
27. As to claim 28, Murphy teaches the invention as claimed, wherein the system management information includes at least one of an identification of applications run under each of the at least one leasehold, a number of network devices on which the applications for each of the at least one leasehold were run, an amount

of network bandwidth used by each of the at least one leasehold, and a level of success of running the applications under each of the at least one leasehold (col.1, lines 50-65, network bandwidth).

28. As to claim 29, Murphy teaches the invention as claimed, wherein the plurality of network devices are a plurality thin servers in a thin server farm (col.7, lines 29-40, The master Authorization server 100, and local Pop servers 110).
29. As to claim 30, Murphy teaches the invention as claimed, wherein the plurality of network devices are a plurality of thin servers and wherein the computer program product is executed in a metaserver of a thin server farm (Fig.5, metaserver).

Claim Rejections - 35 USC § 103

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

31. Claims 4,6, 14, 16, 24, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greg Murphy., (hereinafter Murphy) U.S. Patent No. 6,564,380 in view of Nixon et al., (hereinafter Nixon) U.S. Patent No. 6,513,060.


32. As to claim 4, and 6 Murphy does not teach an extensible markup language document (XML). However, Nixon teaches an extensible markup language document as shown in col.1, lines 20-30. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Murphy and Nixon to have an extensible markup language document (XML) because it would have an efficient system that allows designers to create their own customized tags, enabling the definition, transmission, validation, and interpretation of data between applications and between organizations.
33. Claims 14, 16, 24, 26 have similar limitations as claims 4, and 6; therefore, they are rejected under the same rationale.

Conclusion

34. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(703) 305-7982**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:30 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Bill Cuchlinski, may be reached at **(703) 308-3873**.

TTN
October 26, 2004


WILLIAM A. CUCHLINSKI, JR.
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